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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 CHERYL L. ROBERTSON,

8 Plaintiff,

9 v.

10 MICHAEL J. ASTRUE, Commissioner of the  
11 Social Security Administration,

12 Defendant.

Case No. C10-5571-RAJ

**ORDER DISMISSING CASE**

13 The court has considered the Report and Recommendation (“R&R”) of the Honorable  
14 Brian A. Tsuchida, United States Magistrate Judge, as well as Plaintiff’s objections to the R&R,  
15 Defendant’s response to those objections, and the balance of the record. The court observes that  
16 the ALJ in this case faced the unenviable task of determining how well Plaintiff might function  
17 when not suffering from the effects of substance abuse. The court has examined the  
18 administrative record carefully, and finds no reason to disturb the ALJ’s conclusion that putting  
19 aside those effects, Plaintiff is capable of working with certain non-exertional restrictions. The  
20 court thus agrees with the R&R’s recommendation that the court affirm the ALJ. The court  
21 accordingly orders as follows:

22 (1) The Court adopts the R&R over Plaintiff’s objections.

23 (2) The court affirms the final decision of the Commissioner and directs the clerk to  
dismiss this case with prejudice.

(3) The court directs the clerk to enter judgment for Defendant.

(4) The court directs the clerk to send this order to the parties and to Judge Tsuchida.

DATED this 10th day of August, 2011.

Richard A. Jones

The Honorable Richard A. Jones  
United States District Court Judge